

Fill in this information to identify your case:

United States Bankruptcy Court for the:

DISTRICT OF NORTH DAKOTA

Case number (if known) Chapter 11

☐ Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

4/19

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name JM Grain, Inc.

2. All other names debtor used in the last 8 years

Include any assumed names, trade names and doing business as names

3. Debtor's federal Employer Identification Number (EIN) 20-3098913

4. Debtor's address Principal place of business Mailing address, if different from principal place of business

12 North Railroad Street
Garrison, ND 58540

Number, Street, City, State & ZIP Code

McLean

County

P. O. Box 248
Garrison, ND 58540

P.O. Box, Number, Street, City, State & ZIP Code

Location of principal assets, if different from principal place of business

Number, Street, City, State & ZIP Code

5. Debtor's website (URL) www.jmgrain.com

6. Type of debtor
☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))
☐ Partnership (excluding LLP)
☐ Other. Specify:

Debtor **JM Grain, Inc.**
Name

Case number (if known)

7. Describe debtor's business

A. Check one:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Railroad (as defined in 11 U.S.C. § 101(44))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
- ☒ None of the above

B. Check all that apply

- ☐ Tax-exempt entity (as described in 26 U.S.C. §501)
- ☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. §80a-3)
- ☐ Investment advisor (as defined in 15 U.S.C. §80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.
See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

1151

8. Under which chapter of the Bankruptcy Code is the debtor filing?

Check one:

- ☐ Chapter 7
- ☐ Chapter 9

☒ Chapter 11. Check all that apply:

- ☐ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,725,625 (amount subject to adjustment on 4/01/22 and every 3 years after that).
- ☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

- ☒ No.
- ☐ Yes.

If more than 2 cases, attach a separate list.

District	_____	When	_____	Case number	_____
District	_____	When	_____	Case number	_____

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

- ☒ No
- ☐ Yes.

List all cases. If more than 1, attach a separate list

Debtor	_____	Relationship	_____
District	_____	When	_____
		Case number, if known	_____

Debtor **JM Grain, Inc.**
Name

Case number (if known)

11. Why is the case filed in this district?

Check all that apply:

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

☒ No

☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply.)

☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard?

☐ It needs to be physically secured or protected from the weather.

☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).

☐ Other

Where is the property?

Number, Street, City, State & ZIP Code

Is the property insured?

☐ No

☐ Yes. Insurance agency

Contact name

Phone

Statistical and administrative information

13. Debtor's estimation of available funds

Check one:

- ☒ Funds will be available for distribution to unsecured creditors.
- ☐ After any administrative expenses are paid, no funds will be available to unsecured creditors.

14. Estimated number of creditors

☐ 1-49

☒ 50-99

☐ 100-199

☐ 200-999

☐ 1,000-5,000

☐ 5001-10,000

☐ 10,001-25,000

☐ 25,001-50,000

☐ 50,001-100,000

☐ More than 100,000

15. Estimated Assets

☐ \$0 - \$50,000

☒ \$50,001 - \$100,000

☐ \$100,001 - \$500,000

☐ \$500,001 - \$1 million

☐ \$1,000,001 - \$10 million

☐ \$10,000,001 - \$50 million

☐ \$50,000,001 - \$100 million

☐ \$100,000,001 - \$500 million

☐ \$500,000,001 - \$1 billion

☐ \$1,000,000,001 - \$10 billion

☐ \$10,000,000,001 - \$50 billion

☐ More than \$50 billion

16. Estimated liabilities

☐ \$0 - \$50,000

☐ \$50,001 - \$100,000

☐ \$100,001 - \$500,000

☐ \$500,001 - \$1 million

☒ \$1,000,001 - \$10 million

☐ \$10,000,001 - \$50 million

☐ \$50,000,001 - \$100 million

☐ \$100,000,001 - \$500 million

☐ \$500,000,001 - \$1 billion

☐ \$1,000,000,001 - \$10 billion

☐ \$10,000,000,001 - \$50 billion

☐ More than \$50 billion

Debtor **JM Grain, Inc.**
Name

Case number (if known)

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

**17. Declaration and signature
of authorized
representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **June 25, 2019**
MM / DD / YYYY

X /s/ Justin E. Flaten
Signature of authorized representative of debtor

Title **President**

Justin E. Flaten
Printed name

18. Signature of attorney

X /s/ Caren W. Stanley
Signature of attorney for debtor

Date **June 25, 2019**
MM / DD / YYYY

Caren W. Stanley 06100
Printed name

Vogel Law Firm
Firm name

**218 NP Avenue
P. O. Box 1389
Fargo, ND 58107-1389**
Number, Street, City, State & ZIP Code

Contact phone **(701) 237-6983**

Email address **cstanley@vogellaw.com**

06100 ND
Bar number and State

Fill in this information to identify the case:

Debtor name **JM Grain, Inc.**
 United States Bankruptcy Court for the: **DISTRICT OF NORTH DAKOTA**
 Case number (if known): _____

☐ Check if this is an amended filing

Official Form 204

Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders

12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an insider, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
AGT Foods 1611 E. Century Ave., Suite 102 Bismarck, ND 58503-0780		Grain Company				\$58,101.60
American Express PO Box 650448 Dallas, TX 75265-0448		Working Capital Account				\$76,516.64
American Express PO Box 650448 Dallas, TX 75265-0448		Credit Card				\$19,529.47
BNSF Railway Company 3110 Solutions Center Chicago, IL 60677-3001		Business				\$20,897.55
Buhler Inc. 28064 Network Place Chicago, IL 60673-1280		Equipment Vendor				\$98,498.20
Canadian Pacific Railway Co. SOO Line Railroad Company 8290 Collection Center Dr. Chicago, IL 60693-0082		Transportation providers				\$206,196.82
Central Bag Company PO Box 37 Lansings, KS 66043		Vendor				\$51,903.69

Debtor **JM Grain, Inc.**
Name

Case number (if known)

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services,	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Commercial Lynks Inc._ 4709B Eisenhower Ave. Alexandria, VA 22304		Grain Company				\$27,792.66
Cummings Ag Inc PO Box 152 Buxton, ND 58218		Toll processor				\$38,990.22
Dahl Trucking LLC 9240 HWY 1 South Langdon, ND 58249		Freight provider/vendor				\$32,747.14
FBN CM LLC 1627 W. Main Bozeman, MT 59715		Grain Company All of the debtor's ... yellow peas, garbanzo beans, green lentils, and any other pulse crops... all proceeds of the foregoing.		\$863,330.04	\$0.00	\$863,330.04
FreightQuote PO Box 9121 Minneapolis, MN 55480-9121		Business				\$20,250.00
Jacintoport International LP Dept. 1201 PO Box 121201 Dallas, TX 75312-1201		Business				\$20,520.00
Koelnmesse GmbH Messepl. 1, Köln 50679 GERMANY		Business				\$24,079.00
Pardue Grain Roger Samons 64 Pardue Road Cut Bank, MT 59427		Toll processor				\$53,071.77
Rademacher Trucking Inc. Kevin Rademacher-MC 281148 5767 N. 17th Ave. Norwich, ND 58768		Freight provider				\$32,483.43
Ray-Mont Logistics America Inc. 1751 Richardson, suite 4.500 Montreal, QC H3K 1G6 CANADA		Freight provider (ocean)				\$163,624.47

Debtor **JM Grain, Inc.**
Name

Case number (if known)

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services,	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Safflower Technologies International PO Box 907 112 S 1st Ave #3A Laurel, MT 59044		Grain Company				\$293,274.42
Trinity Logistics PO Box 62702 Baltimore, MD 21264		Freight provider				\$14,087.75
Union Pacific Railroad Company PO Box 502453 Saint Louis, MO 63150-2453		Freight provider				\$41,787.00

**United States Bankruptcy Court
District of North Dakota**

In re **JM Grain, Inc.**

Debtor(s)

Case No.

Chapter

11

VERIFICATION OF CREDITOR MATRIX

I, the President of the corporation named as the debtor in this case, hereby verify that the attached list of creditors is true and correct to the best of my knowledge.

Date: **June 25, 2019**

/s/ Justin E. Flaten

Justin E. Flaten/President

Signer/Title

AGT FOODS
1611 E. CENTURY AVE., SUITE 102
BISMARCK, ND 58503-0780

COGESER
31 AVENUE DES CHAMPS-ELYSEES
PARIS 75008
FRANCE

FIRST WESTERN BANK & TRUST
P. O. BOX 1090
MINOT, ND 58702

AMERICAN EXPRESS
PO BOX 650448
DALLAS, TX 75265-0448

COMMERCIAL LYNKS INC._
4709B EISENHOWER AVE.
ALEXANDRIA, VA 22304

FOOD EXPORT ASSOCIATION OF NORTH AMERICA
309 W. WASHINGTON STREET
SUITE 600
CHICAGO, IL 60606

BENCH INDUSTRIES
PO BOX 3167
GREAT FALLS, MT 59430

CUMMINGS AG INC
PO BOX 152
BUXTON, ND 58218

FREIGHTQUOTE
PO BOX 9121
MINNEAPOLIS, MN 55480-9121

BLACK LEAF FARMS, INC.
5130 US HIGHWAY 89
CHOTEAU, MT 59422

DAHL TRUCKING LLC
9240 HWY 1 SOUTH
LANGDON, ND 58249

GABINO SALAZAR IMPORT BROKER
PASEO DE LA CASTELLANA, 188 DO
MADRID 28046
SPAIN

BNSF RAILWAY COMPANY
3110 SOLUTIONS CENTER
CHICAGO, IL 60677-3001

DAKOTA FIRE EXTINGUISHERS
5100 S BROADWAY
MINOT, ND 58701

GARRISON FARMERS UNION OIL COMPANY
PO BOX 429 HWY 37
GARRISON, ND 58540-0429

BRYAN RUSTAD
1823 50TH AVE NW
GARRISON, ND 58540

DON AND EDITH BAUMAN
2592 61ST AVE NW
RYDER, ND 58779

GLOBERUNNERS, INC.
7300 HUDSON BLVD N, SUITE 20
OAKDALE, MN 55128

BUHLER INC.
28064 NETWORK PLACE
CHICAGO, IL 60673-1280

FBN CM LLC
1627 W. MAIN
BOZEMAN, MT 59715

GREAT FALLS CHAMBER OF COMMERCE
100 1ST AVE. N.
GREAT FALLS, MT 59401

CANADIAN PACIFIC RAILWAY

FBN CM LLC
338 EL CAMINO REAL
SAN CARLOS, CA 94070

INFORMA EXHIBITIONS
101 PARAMOUNT DRIVE
SUITE 100
SARASOTA, FL 34232

CANADIAN PACIFIC RAILWAY CO.
SOO LINE RAILROAD COMPANY
8290 COLLECTION CENTER DR.
CHICAGO, IL 60693-0082

FINKEN FARMS & SEEDS LLP
16300 - 359TH AVE SW
DOUGLAS, ND 58735

JACINTOPORT INTERNATIONAL LTD
DEPT. 1201
PO BOX 121201
DALLAS, TX 75312-1201

CENTRAL BAG COMPANY
PO BOX 37
LANSINGS, KS 66043

FIRST WESTERN BANK & TRUST
P. O. BOX 1090
900 SOUTH BROADWAY
MINOT, ND 58702

JAMES WALSH
2800 42ND ST NE
MINOT, ND 58703

RAY-MONT LOGISTICS AMERICA INC.
1751 RICHARDSON, SUITE 4.500
MONTREAL, QC H3K 1G6
CANADA

STEVE SEIDLER
1760 34TH AVE NW
GARRISON, ND 58540

VOLUME FREIGHT
203-990 LORIMER BLVD
WINNIPEG, MB R3P 0Z9
CANADA

RAYMOND CORCORAN TRUCKING, INC
532 KLENCK LANE
BILLINGS, MT 59101

TCF EQUIPMENT FINANCE
11100 WAYZATA BOULEVARD
HOPKINS, MN 55305

WASTE MANAGEMENT
PO BOX 42390
PHOENIX, AZ 85080

REGIONAL PULSE CROP DIAGNOSTIC LABORATORY
PO BOX 173145
BOZEMAN, MT 59717-3145

LABOR PARTNERS, L.L.P.
1940 SOUTH BROADWAY #475
MINOT, ND 58701

WINSTON PUBLISHING
PO BOX 1707
GREAT FALLS, MT 59403

REILE'S TRANSFER & DELIVERY, INC.
4007 33RD STREET NW
FARGO, ND 58106

TOYOTA FINANCIAL SERVICES
PO BOX 660926
DALLAS, TX 75266-0926

RYAN WEBER
2241 29TH AVE SW
CENTER, ND 58530

TOYOTA INDUSTRIES COMMERCIAL FINANCE
PO BOX 9050
COPPELL, TX 75019-9050

S & J HARDWARE
12 N MAIN ST
PO BOX 7
GARRISON, ND 58540

TRINITY LOGISTICS
PO BOX 62702
BALTIMORE, MD 21264

SAFFLOWER TECHNOLOGIES INTERNATIONAL
PO BOX 907
112 S 1ST AVE #3A
LAUREL, MT 59044

SA INDUSTRIAL PACKAGING, LLC
PO BOX 3181
JACKSON, TN 38303

SAMA CONSULTING
ATTN: ESTEBAN DAVILA; C.C. 1020783178
CALLE 151 A NO. 45 60 TOREE 5 APT 04101
BOGOTA, 110131
COLOMBIA

TVEDT TRUCKING, INC.
PO BOX 294
WILBAUX, MT 59353

SOUTHLAND PULSE
SHAWN MADSEN
PO BOX 112
NOONAN, ND 58765

UNION PACIFIC RAILROAD COMPANY
PO BOX 502453
SAINT LOUIS, MO 63150-2453

SPECTRUM BUSINESS
CHARTER COMMUNICATIONS
PO BOX 742614
CINCINNATI, OH 45274-2614

VAN DESSEL & SONS
PO BOX 3186
GREAT FALLS, MT 59403

**United States Bankruptcy Court
District of North Dakota**

In re **JM Grain, Inc.**

Debtor(s)

Case No.

Chapter

11

CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for **JM Grain, Inc.** in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

☒ None [*Check if applicable*]

June 25, 2019

Date

/s/ Caren W. Stanley

Caren W. Stanley 06100

Signature of Attorney or Litigant

Counsel for **JM Grain, Inc.**

Vogel Law Firm

218 NP Avenue

P. O. Box 1389

Fargo, ND 58107-1389

(701) 237-6983 Fax:(701) 476-7676

jbrakke@vogellaw.com